

**KLEHR HARRISON
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Application **GRANTED**. The conference scheduled for October 30, 2024, is **ADJOURNED to November 27, 2024 at 4:00 P.M. EST**. Parties shall dial in by calling 646-453-4442 and entering Conference ID: 563 687 491, followed by the pound (#) key. **SO ORDERED**. The Clerk of Court is respectfully directed to terminate ECF No. 29.

VIA ECF

The Honorable Dale E. Ho
United States District Judge
Southern District of New York
40 Foley Square
New York, New York


Dale E. Ho
United States District Judge

Dated: October 28, 2024
New York, New York

RE: Adriana Walsh v. Nelnet Servicing, LLC, No. 1:24-cv-04325-DEH (S.D.N.Y.)

Dear Judge Ho:

This firm represents defendant Nelnet Servicing, LLC (“Nelnet”) in the above-referenced case. Pursuant to Your Honor’s Individual Rules and Practices in Civil Cases, Paragraph 2(e), Nelnet respectfully submits this letter motion to request an adjournment of the pre-trial conference currently scheduled for October 30, 2024. In compliance with your Individual Rules, Nelnet submits this request two business days before the appearance Nelnet seeks to adjourn.

This is Nelnet’s third request for an adjournment of the pre-trial conference; the Court granted the first adjournment of the pre-trial conference on August 1, 2024, and the second adjournment on September 16, 2024. Nelnet requests this extension because, as noted in paragraph 13 of the joint case management plan filed on October 23, 2024, Nelnet intends to file a motion to stay discovery pending a resolution of its motion to dismiss this action under the first-filed rule because of an earlier-filed and duplicative class action in the District of New Jersey. Nelnet respectfully submits that it would be more productive if Nelnet’s letter motion concerning its request to stay discovery, and Plaintiff’s opposition, were filed in advance of the pre-trial conference. Nelnet intends to file its letter motion by November 4.

Counsel for Nelnet and Plaintiff conferred, and Plaintiff does not oppose Nelnet’s request for an adjournment of the pre-trial conference. This request is made in good faith and will neither unduly delay the proceedings nor prejudice any party to this action, as the briefing on Nelnet’s motion to dismiss is not yet complete. Counsel for Nelnet and Plaintiff are available on November 19, and 20 for a rescheduled pre-trial conference.

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Should the Court require any additional information, Nelnet would be happy to provide it.

Respectfully submitted,

/s/ Paige M. Willan

Paige M. Willan

PMW/cbb

cc: James A. Francis (via ECF)

John Soumilas (via ECF)

Kevin C. Mallon (via ECF)

Matthew C. Arentsen (via ECF)